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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SERVICE EMPLOYEES INTERNATIONAL UNION, Local 790,)	
)	[PROPOSED] ORDER
)	SHORTENING TIME AND
)	SETTING HEARING FOR
Plaintiff,)	MOTION TO DISMISS
)	
)	No. 07-cv-02766-PJH
v.)	
)	Date: June 27, 2007
)	
JOSEPH NORELLI, Regional Director of National Labor Relations Board, Region 20, <u>et al.</u> ,)	Time: 9:00 A.M.
)	Judge: Hon. Phyllis J. Hamilton
)	
Defendants.)	Courtroom: #3, 17th Floor
)	
)	

1
2 Plaintiff Service Employees International Union, Local 790, and Defendants Joseph
3 Norelli, Regional Director for Region 20 of the National Labor Relations Board and the
4 individual Members of the National Labor Relations Board (collectively, “the Board” or “the
5 NLRB”), by and through their respective undersigned counsel, pursuant to Local Rule 6-2,
6 N.D.Cal., hereby STIPULATE AND AGREE as follows:

7 1. This Court has issued an Order to Show Cause regarding Plaintiff’s Motion for a
8 Preliminary Injunction, and set a hearing on that Motion for June 27, 2007, at 9:00 a.m (Docket
9 No. 18). The Board has opposed Plaintiff’s Motion for Preliminary Injunction on grounds of
10 lack of subject matter jurisdiction (Docket No. 14). For this same reason - lack of jurisdiction -
11 the Board is filing the accompanying Motion to Dismiss Complaint. Thus, it will serve the
12 interests of judicial economy and the economy of the parties (particularly the Board, whose lead
13 counsel is in Washington, D.C.) to have the Motion to Dismiss heard at the same time as the
14 Motion for Preliminary Injunction.
15

16 2. Plaintiff’s Opposition to the Board’s Motion to Dismiss will be filed by June 13, 2007,
17 and the NLRB’s Reply will be filed by June 20, 2007.

18 3. One previous time modification has been sought in this case. Proposed Intervenor
19 Stephen J. Burke, Jr., has filed a Motion to Shorten Time (Docket No. 19), in order that his
20 intervention motion may also be heard on June 27, 2007. Proposed Intervenor Burke has also
21 agreed to the briefing and hearing dates set out in this stipulation.

22 4. The Court has issued an order setting the case management conference for September
23 6, 2007 (Docket No. 21). The requested time modification would therefore have no effect on the
24 schedule for this case.
25

/s/ David A. Rosenfeld
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Dated: June 6, 2007

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PURSUANT TO STIPULATION, IT IS SO
ORDERED.

Dated: _____

Hon. Phyllis J. Hamilton
United States District Judge

Counsel for Defendants Norelli, et al.

Dated: June 6, 2007